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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,
Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

STIPULATION TO

- 1) WITHDRAW OBJECTION BY
USACM LIQUIDATING TRUST
FOR LACK OF
DOCUMENTATION TO PROOF
OF CLAIM NO. 10725-00859
FILED BY DOWNEY BRAND
LLP; AND**
- 2) PARTIALLY ALLOW PROOF OF
CLAIM NO. 10725-00859 FILED
BY DOWNEY BRAND LLP**

The USACM Liquidating Trust (the "USACM Trust") and Downey Brand LLP
("Claimant"), on its own behalf, stipulate:

1. Claimant filed a Proof of Claim ("Claim") No. 10725-00859 on November
13, 2006, in the amount of \$78,433.48.

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1 2. On November 19, 2007, the USACM Trust filed it's Fourth Omnibus
2 Objection to Claims for Lack of Documentation ("Objection") [DE 5363], which objected
3 to claims, including Claim No. 10725-00859, on the basis that the claimants had not
4 supplied sufficient supporting documentation for their claims with their proofs of claim.

5 3. Since USACM Trust filed its Objection, Claimant supplied USACM Trust
6 with sufficient documentation to support a claim in the amount of \$77,680.08

7 4. The parties agree that the USACM Trust will withdraw its objection to
8 Claim No. 10725-00859;

9 5. Claim No. 10725-00859 will be allowed as a general unsecured non-priority
10 claim in the amount of \$77,680.08; and

11 6. The balance of \$753.40 will be disallowed.

12 DATED: December 20, 2007

13 **LEWIS AND ROCA LLP**

14 By: /s/ RC (#6593)

15 Susan M. Freeman, AZ 4199 (*pro hac vice*)

16 Rob Charles, NV 6593

17 John Hinderaker, AZ 18024 (*pro hac vice*)

18 *Counsel for USACM Liquidating Trust*

19 -and-

20 DATED: 12/20, 2007.

21 **DOWNEY BRAND LLP**

22 Sallie B. Armstrong
23 Sallie Armstrong
24 Downey Brand LLP
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26 Reno, NV 89509